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UNITED STATES DISTRICT COURT

## NORTHERN DISTRICT OF CALIFORNIA

## SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, ) CASE NO. 19-CR-0580-VC  
Plaintiff, )  
v. ) DETENTION ORDER  
LUIS TERUEL, )  
Defendant. )

On October 31, 2019, defendant Luis Teruel was charged by indictment with one count of possession with intent to distribute and distribution of cocaine salt, and three counts of possession with intent to distribute controlled substances (methamphetamine, heroin, and fentanyl), in violation of Title 21 United States Code Sections 841(a)(1) and (b)(1)(C).

This matter came before the Court on December 11, 2019 for a detention hearing, at which point the defendant waived his right to a hearing without prejudice due to a lack of surety willing to co-sign a bond. This matter came before the Court again on December 17 for a detention hearing, because the defendant identified a potential surety. The defendant was present and represented by Assistant Federal Public Defender David Rizk. Assistant United States Attorney Aseem Padukone appeared for the government. The government moved for detention, and the defendant opposed. At the hearing, counsel

1 submitted proffers and arguments regarding detention.

2       Upon consideration of the facts, proffers and arguments presented, and for the reasons stated on  
3 the record, the Court finds by a preponderance of the evidence that no condition or combination of  
4 conditions will reasonably assure the appearance of the defendant as required. Accordingly, the  
5 defendant must be detained pending trial in this matter.

6       The present order supplements the Court's findings and order at the detention hearing and serves  
7 as written findings of fact and a statement of reasons as required by Title 18, United States Code,  
8 Section 3142(i)(1). As noted on the record, the Court makes the following findings as the bases for its  
9 conclusion: Due to the seriousness of the defendant's alleged offenses, the fact that the defendant has  
10 been in this country for just six months and has limited ties to this district or to the United States, and  
11 because his close family members, including his parents and siblings, all reside abroad in Honduras, the  
12 Court finds by a preponderance of the evidence that no condition or combination of conditions will  
13 reasonably assure the appearance of the defendant as required. This finding is made without prejudice  
14 to the defendant's right to seek review of defendant's detention, or file a motion for reconsideration if  
15 circumstances warrant it.

16       Pursuant to 18 U.S.C. § 3142(i), IT IS ORDERED THAT:

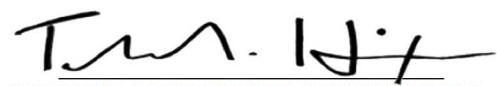
17       1.       The defendant be, and hereby is, committed to the custody of the Attorney General for  
18 confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving  
19 sentences or being held in custody pending appeal;

20       2.       The defendant be afforded reasonable opportunity for private consultation with counsel;  
21 and

22       3.       On order of a court of the United States or on request of an attorney for the government,  
23 the person in charge of the corrections facility in which the defendant is confined shall deliver the  
24 defendant to an authorized United States Marshal for the purpose of any appearance in connection with a  
25 court proceeding.

26       IT IS SO ORDERED.

27 DATED: 12/19/2019

  
HONORABLE THOMAS HIXSON  
United States Magistrate Judge